

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEWEY R. BOZELLA,

Plaintiff,

DECISION AND ORDER

- against -

10-CV-4917 (CS)

THE COUNTY OF DUTCHESS; THE CITY OF
POUGHKEEPSIE; WILLIAM J. O'NEILL; and
ROBERT J. DEMATTIO

Defendants.

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Seibel, J.

Before the Court is Plaintiff's request to lift the "confidential" designation of all but one of the County-produced documents that are exhibits to the parties' summary judgment motions, and allow Plaintiff to file his motion papers on the public docket. (Plaintiff's Letter, dated Dec. 11, 2013.) Defendants oppose the request. (Defendants' Letter, dated Dec. 16, 2013.) The parties' motions are scheduled to be filed on December 30, 2013. (See Doc. 136.) Plaintiff's request to file these documents on the public docket is granted with the following conditions as set forth below.

Judicial documents should be public to the extent possible; however, I recognize that the filing of these documents in this case will make them electronically searchable from any computer, which is not true for the original documents as they appear in the files of the Dutchess County courts. Because any identifying information of the civilians in those documents is not necessary to my decision, such identifying information, including names, addresses, and other personal information, should be redacted or replaced with some designation such as "John Doe"

before the documents are to be filed on the public docket. The same is true for criminal defendants whose cases resulted in acquittals, if any.

Defendants shall still serve Plaintiff by December 30, 2013, with unredacted copies of any reply brief for their summary judgment motion, but because of the work that may be necessary for the parties to comply with this Order, the parties may have until January 15, 2014, to file their redacted papers with the Court.

If the parties have any questions as to particular documents, they should contact the Court for further guidance. But in the Court's view, this solution is the best way to allow the documents that will matter to the Court's decision to be publicly available without harming any innocent third-parties who were involved in criminal matters that occurred decades or more ago and whose identities are irrelevant to the pending motion.

If any name appears more than once in the documents and either side proposes to substitute the name with a pseudonym, the parties should confer in advance to ensure that the parties use the same pseudonym.

Finally, the parties are directed to file their respective letters and attachments regarding this request on ECF in accordance with the redaction instructions as set forth in this Order.

SO ORDERED.

Dated: December 23, 2013
White Plains, New York



CATHY SEIBEL, U.S.D.J.